



Order Filed on October 2, 2017  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**Caption in Compliance with D.N.J. LBR 9004-1(b)**

Denise Carlon  
KML Law Group, PC  
216 Haddon Avenue, Suite 406  
Westmont, NJ 08108  
CIT Bank, N.A., fka One West Bank, N.A., fka One  
West Bank, FSB

In Re:  
Aguero, Mercedes

Case No: 17-26245 VFP

Hearing Date: September 19, 2017

Judge: Vincent F. Papalia

Recommended Local Form:

☐

Followed


☐

Modified

**ORDER VACATING STAY**

The relief set forth on the following page is hereby ordered **ORDERED**.

**DATED: October 2, 2017**

  
\_\_\_\_\_  
Honorable Vincent F. Papalia  
United States Bankruptcy Judge

Upon the motion of CIT Bank, N.A., fka One West Bank, N.A., fka One West Bank, FSB,  
under  
Bankruptcy Code section 362(a) for relief from the automatic stay as to certain property as  
hereinafter set forth, and for cause shown, it is

ORDERED that the automatic stay is vacated to permit the movant to institute or resume  
and prosecute to conclusion one or more actions in the court(s) of appropriate jurisdiction to  
pursue the movant's rights in the following:

☒ Real Property More Fully Described as:

**Land and premises commonly known as Lot 4, Block 38, 509 North 5th Street,  
Harrison NJ 07029**

☐ Personal Property More Fully Describes as:

It is further ORDERED that the movant, its successors or assignees, may proceed with its  
rights and remedies under the terms of the subject mortgage and pursue its state court remedies  
including, but not limited to, taking the Property to Sheriff's Sale, in addition to potentially  
pursuing other loss mitigation alternatives, including, but not limited to, a loan modification,  
short sale or deed-in-lieu foreclosure. Additionally, any purchaser of the property at sheriff's  
sale (or purchaser's assignee) may take any legal action for enforcement of its right to possession  
of the property.

It is further ORDERED that the movant may join the debtor and any trustee appointed in  
this case as defendants in its action(s) irrespective of any conversion to any other chapter of the  
Bankruptcy Code.

The movant shall serve this order on the debtor, any trustee and any other party who  
entered an appearance on the motion.

**Certificate of Notice Page 3 of 3**  
United States Bankruptcy Court  
District of New Jersey

In re:  
Mercedes Aguero  
Debtor

Case No. 17-26245-VFP  
Chapter 7

**CERTIFICATE OF NOTICE**

District/off: 0312-2

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Oct 03, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 05, 2017.

db +Mercedes Aguero, 509 North 5th Street, Harrison, NJ 07029-1203

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Oct 05, 2017

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 3, 2017 at the address(es) listed below:

Barbara Edwards on behalf of Trustee Barbara Edwards bedwardstrustee@aol.com,  
NJ48@ecfcbis.com  
Barbara Edwards bedwardstrustee@aol.com, NJ48@ecfcbis.com  
Denise E. Carlon on behalf of Creditor CIT Bank, N.A., fka One West Bank, N.A., fka One West  
Bank, FSB dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com  
Paul W. Grzenda on behalf of Debtor Mercedes Aguero pgrzenda33@hotmail.com,  
pgrzenda33@hotmail.com  
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 5